

REMARKS

The Examiner has not considered the previously filed Information Disclosure Statement (IDS). Submitted herewith is a supplementary IDS for the Examiner's consideration.

The Examiner has objected to the claims because of formalities. Such objection is deemed to have been overcome via the amendments made hereinabove.

The Examiner has rejected Claims 20-40 (applicant assumes that the Examiner is actually referring to Claims 1-19) under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctive claim the subject matter which applicant regards as the invention. In particular, while the Examiner attests to the clarity of the term "session," he takes issue with "session reconstruction." While applicant does not claim the term "session reconstruction," applicant does claim "reconstructing the session." Applicant argues that such terminology is sufficiently clear, in view of both the teachings of the specification and the plain meaning of "reconstructing." Applicant thus argues that the present claim language is sufficiently clear and definite.

The Examiner has further rejected Claims 1, 3-5, 10-13, 15, and 19 under 35 U.S.C. 102(b) as being anticipated by Chiu et al. (U.S. Patent Number 5,101,402), hereinafter referred to as Chiu. Moreover, the Examiner has further rejected Claims 1-5, 7, 10-13, 15-16, and 19 under 35 U.S.C. 102(b) as being anticipated by McCreery et al. (U.S. Patent Number 5,787,253), hereinafter referred to as McCreery. Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove.

In particular, simply nowhere in the foregoing references is there disclosed, taught or suggested a technique of “reconstructing a voice call session” (emphasis added) for the purpose of charging for the same using a “voice call prepaid account” (emphasis added). In particular, now claimed is “identifying a voice call prepaid account associated with a user” and “receiving a plurality of packets over a network interface, the packets being representative of a voice call over a network” where an application associated with such voice call is identified in the specific manner claimed for “altering accounting operations based on a type of the identified application.” To this end, the system is capable of “charging for the voice call against the voice call prepaid account; and terminating access to voice calls by the user if the voice call prepaid account is exceeded.”

Simply nowhere in the prior art is there such a technique of identifying applications associated with voice call-related packets to permit session reconstruction for the purpose of application-specific charging as well as charging against a pre-paid account which may be terminated upon expiration. Only applicant teaches such a combination of features for fulfilling the foregoing objectives.

The Examiner continues by rejecting Claims 1-19 under 35 U.S.C. 103(a) as being unpatentable over “Rich Data About Customer Usage.” Applicant’s invention was completed in the United States at a date prior to March 15, 1999, the effective date of the above reference that was cited by the Examiner. A declaration and evidence of such are submitted herewith. In view of such evidence, the foregoing rejection is deemed to have been overcome.

All of the independent claims are thus deemed allowable for the reasons set forth hereinabove. By virtue of their dependence, the remaining claims are also deemed allowable. An allowance is respectfully requested.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The

Commissioner is hereby authorized to charge any fees that may be due or credit any overpayment to Deposit Account No. 50-1351 (Order No. XACTP015).

Respectfully submitted,

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APPENDIX A

Please cancel Claims 5 and 18.

1. (Amended) A method of reconstructing a voice call session, the method comprising:

- identifying a voice call prepaid account associated with a user;
- receiving a plurality of packets over a network interface, the packets being representative of a voice call over a network;
- filtering the received packets;
- analyzing the filtered plurality of packets to identify at least a first flow;
- identifying an application for the at least a first flow;
- selecting a corresponding application flow identifier for the application;
- using the corresponding application flow identifier to identify a plurality of flows in the plurality of packets corresponding to the session;
- altering accounting operations based on a type of the identified application;
- charging for the voice call against the voice call prepaid account; and
- terminating access to voice calls by the user if the voice call prepaid account is exceeded.

10. (Amended) A system for reconstructing a voice call session, the system comprising:

- a packet source, the packet source generating a plurality of packets, wherein the packets are filtered and are representative of a voice call over a network;
- a flow manager coupled to the packet source, the flow manager identifying at least one flow in the plurality of packets;
- an application recognizer coupled to the flow manager, the application recognizer identifying an application corresponding to the at least one flow;

a session streamer coupled to the flow manager, the session streamer identifying a plurality of flows in the plurality of packets corresponding to the session based on the application;

wherein a voice call prepaid account associated with a user is identified, accounting operations are altered based on a type of the identified application, the voice call is charged for against the voice call prepaid account, and access to voice calls by the user is terminated if the voice call prepaid account is exceeded.

11. (Amended) The system of claim 10, wherein each of the plurality of packets includes a plurality of header elements and the at least one flow includes one or more packets with a common packet header element[:].

13. (Amended) The system of claim 10, wherein the application recognizer signals to the session streamer to treat the at least one flow as a session when the application recognizer cannot identify an application for the at least one flow[:].

15. (Amended) An apparatus for reconstructing a voice call session, the apparatus comprising:

means for identifying a voice call prepaid account associated with a user;

means for receiving a plurality of packets, the packets being representative of a voice call over a network;

means for filtering the received packets;

means for identifying at least a first flow in the plurality of packets;

means for identifying an application for the at least a first flow;

means for selecting a corresponding application flow identifier for the application;

means for identifying a plurality of flows in the plurality of packets corresponding to the session using the corresponding application flow identifier;

means for altering accounting operations based on a type of the identified application;

means for charging for the voice call against the voice call prepaid account; and

means for terminating access to voice calls by the user if the voice call prepaid account is exceeded.

19. (Amended) A computer data signal embodied in a carrier wave comprising:

a computer program for session reconstruction:

a first set of instructions for identifying at least one flow in a plurality of packets;

a second set of instructions for analyzing the at least one flow to identify an application corresponding to the flow; and

a third set of instructions for identifying a plurality of flows in the plurality of packets corresponding to the session based on the application;

wherein a voice call prepaid account associated with a user is identified, accounting operations are altered based on a type of the identified application, the voice call is charged for against the voice call prepaid account, and access to voice calls by the user is terminated if the voice call prepaid account is exceeded.